<u>REMARKS</u>

Claims 1-36 are pending in the Application. Claims 1-36 are rejected under 35 U.S.C. § 103(a). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

Applicants thank the Examiner for discussing the present Office Action with Applicants' attorney, Robert Voigt, on October 4, 2004.

I.   <u>REJECTIONS UNDER 35 U.S.C. § 103(a):</u>

The Examiner has rejected claims 1-36 under 35 U.S.C. § 103(a) as being unpatentable over Rao et al. (WO 97/06523) (hereinafter "Rao") in view of Kato et al. (U.S. Patent No. 5,801,705) (hereinafter "Kato") and in further view of Nishio et al. (U.S. Patent No. 6,038,034) (hereinafter "Nishio"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

A.   <u>The Examiner has not provided any objective evidence for combining Rao with Kato.</u>

A *prima facie* showing of obviousness requires the Examiner to establish, *inter alia*, that the prior art references teach or suggest, either alone or in combination, all of the limitations of the claimed invention, and the Examiner must provide a motivation or suggestion to combine or modify the prior art reference to make the claimed inventions. M.P.E.P. §2142. The showings must be clear and particular and supported by objective evidence. *In re Lee*, 277 F.3d 1338, 1343, 61 U.S.P.Q.2d 1430, 1433-34 (Fed. Cir. 2002); *In re Kotzab*, 217 F.3d 1365, 1370, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000); *In re Dembiczak*, 50 U.S.P.Q.2d. 1614, 1617 (Fed. Cir. 1999). Broad conclusory statements regarding the teaching of multiple references, standing alone, are not evidence. *Id.*

The Examiner's motivation for modifying Rao with Kato to allocate a memory space as either a double buffered stereo or a single buffered stereo, as recited in claim 1 and similarly in claims 6, 11, 16, 23 and 30, is "to provide stereo display for animation as taught by Kato (col. 2, lines 35-40 and col. 9, lines 30-35)." Paper No. 8, pages 2-3. The Examiner's motivation is insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner's motivation is not a motivation as to why one of ordinary skill in the art with the primary reference (Rao) in front of him would have been motivated to modify the primary reference (Rao) with the teachings of the secondary reference (Kato). There is no suggestion in Rao of allocating a memory space as either a double buffered stereo or a single buffered stereo to provide stereo display for animation (Examiner's motivation). The Examiner's motivation is a motivation for the secondary reference (Kato) to solve its problem. In fact, the Examiner cites col. 2, lines 35-40 and col. 9, lines 30-35 of Kato as support for his motivation which addresses the problem to be solved by Kato and the manner in solving that problem. Kato teaches that in prior art that the whole screen associated with buffers for a right eye and a left eye must be switched to achieve stereo display. Column 1, lines 47-48. Kato further teaches that this makes it impossible to implement stereo display on a window by window basis and to achieve the stereo display on a window with an arbitrary contour. Column 1, lines 49-52. This problem is solved in Kato by exchanging both the buffers for each eye used for display and drawing operations after the drawing operation is over, which implements stereo display for animation. Column 2, lines 35-40. Hence, the Examiner's motivation addresses the problem to be solved in Kato. The Examiner's motivation is not a suggestion to combine the primary reference (Rao) with the secondary reference (Kato). The Examiner must provide objective evidence as to why one of ordinary skill in the art with the primary reference (Rao) in front of him, which teaches a unified memory system where both the frame buffer and system memory are collocated in a single integrated circuit or

bank of integrated circuits (Page 6, lines 20-22 of Rao), would have been motivated to modify the teachings of the primary reference (Rao) with the teachings of the secondary reference (Kato), which teaches implementing a stereo display or blink operation on a window system with each window having an arbitrary contour and on a window by window basis (Abstract of Kato). *See In re Lee*, 61 U.S.P.Q.2d 1430, 1433-34 (Fed. Cir. 2002); *In re Kotzab*, 55 U.S.P.Q.2d 1313, 1318 (Fed. Cir. 2000). Merely stating the motivation to solve the problem of the secondary reference (Kato) is not evidence for suggesting the combination of the primary reference (Rao) with the secondary reference (Kato). *See Id.* Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness for rejecting claims 1-36. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002).

Further, the Examiner must submit objective evidence and not rely on his own subjective opinion in support of combining Rao, which teaches a unified memory system where both the frame buffer and system memory are collocated in a single integrated circuit or bank of integrated circuits, with Kato, which teaches implementing a stereo display or blink operation on a window system with each window having an arbitrary contour and on a window by window basis. *Id.* There is no suggestion in Rao of implementing a stereo display on a window system. Neither is there any suggestion in Rao of implementing a stereo display on a window by window basis. Neither is there any suggestion in Rao of implementing a blink operation on a window system. Neither is there any suggestion in Rao of implementing a blink operation on a window by window basis. Since the Examiner has not submitted objective evidence for modifying Rao with Kato, the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 1-36. *Id.*

Further, the Examiner must submit objective evidence and not rely on his own subjective opinion in support of modifying Rao to allocate a memory space as either a double buffered stereo or a single buffered stereo (Examiner admits that Rao does not teach this limitation). *Id.* Rao teaches a memory that is a unified memory system

since the system memory and frame buffer are collocated in a single integrated circuit or bank of integrated circuits. Page 11, lines 26-29. There is no suggestion in Rao of implementing double buffered stereo. Neither is there any suggestion in Rao of implementing single buffered stereo. Neither is there any suggestion in Rao of allocating a memory space as either a double buffered stereo or a single buffered stereo. Since the Examiner has not submitted objective evidence for modifying Rao to allocate a memory space as either a double buffered stereo or a single buffered stereo, the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 1-36. *Id.*

        B.   The Examiner has not provided any objective evidence for combining Rao with Nishio.

As stated above, a *prima facie* showing of obviousness requires the Examiner to establish, *inter alia*, that the prior art references teach or suggest, either alone or in combination, all of the limitations of the claimed invention, and the Examiner must provide a motivation or suggestion to combine or modify the prior art reference to make the claimed inventions. M.P.E.P. §2142. The showings must be clear and particular and supported by objective evidence. *In re Lee*, 277 F.3d 1338, 1343, 61 U.S.P.Q.2d 1430, 1433-34 (Fed. Cir. 2002); *In re Kotzab*, 217 F.3d 1365, 1370, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000); *In re Dembiczak*, 50 U.S.P.Q.2d. 1614, 1617 (Fed. Cir. 1999). Broad conclusory statements regarding the teaching of multiple references, standing alone, are not evidence. *Id.*

The Examiner's motivation for modifying Rao with Nishio to allocate the memory space as one of the double buffered stereo and the single buffered stereo in response to the selectable option, as recited in claim 1 and similarly in claims 6 and 11, is "to provide the system and method with optional selection for the user to select either single buffered stereo or double buffered stereo as taught by Kato." Paper No.

8, page 3. The Examiner's motivation is insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner's motivation is not a motivation as to why one of ordinary skill in the art with the primary reference (Rao) in front of him would have been motivated to modify the primary reference (Rao) with the teachings of the secondary reference (Nishio). The Examiner's motivation is "to provide the system and method with optional selection for the user to select either single buffered stereo or double buffered stereo." Paper No. 8, page 3. The Examiner's motivation is just restating the element that the primary reference (Rao) fails to teach. This is not a motivation or suggestion to combine references. In order to establish a *prima facie* case of obviousness, the Examiner must present a motivation or suggestion to combine the references Rao, Kato and Nishio. M.P.E.P. §2142. The Examiner has not provided any such motivation but instead relies upon his own subjective opinion which is insufficient to establish a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness for rejecting claims 1-36. *Id*.

Further, the Examiner must submit objective evidence and not rely on his own subjective opinion in support of combining Rao, which teaches a unified memory system where both the frame buffer and system memory are collocated in a single integrated circuit or bank of integrated circuits, with Nishio, which teaches an image processing apparatus provided with plural output devices that achieves efficient image data output processes without mutual interferences of such processes in the plural output devices (Column 2, lines 40-43). *Id*. There is no suggestion in Rao of achieving efficient image data output processes without mutual interferences of such processes in the plural output devices. Since the Examiner has not submitted objective evidence for modifying Rao with Nishio, the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 1-36. *Id*.

Further, the Examiner must submit objective evidence and not rely on his own subjective opinion in support of modifying Rao to allocate a memory space as either a double buffered stereo or a single buffered stereo in response to the selectable option (Examiner admits that Rao does not teach this limitation). *Id.* There is no suggestion in Rao of implementing double buffered stereo. Neither is there any suggestion in Rao of allocating a memory space as either a double buffered stereo or a single buffered stereo. Neither is there any suggestion in Rao of allocating a memory space as either a double buffered stereo or a single buffered stereo in response to the selectable option. Since the Examiner has not submitted objective evidence for modifying Rao to allocate a memory space as either a double buffered stereo or a single buffered stereo in response to the selectable option, the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 1-36. *Id.*

C.   The Examiner has not provided a motivation for modifying Kato with Nishio.

In connection with the limitation of "providing a user with a selectable option to allocate said memory space as a double buffered stereo or a single buffered stereo" as recited in claim 1 and similarly in claims 6 and 11, the Examiner cites Figure 1 of Rao as teaching allocating a memory space. Paper No. 8, page 2. The Examiner further cites Figures 1 and 3 of Kato as teaching implementing a single buffered stereo and a double buffered stereo. Paper No. 8, page 2. As understood by Applicants, the Examiner further cites column 6, lines 26-31 of Nishio as teaching a selectable option. Paper No. 8, page 3. Applicants respectfully traverse.

Nishio instead teaches frame memories 201, 202 and the scanner/printer interfaces 223, 224 at the scanning or printing operation as illustrated in Figure 2. Column 6, lines 5-7. Nishio further teaches that a double buffer function is when one of the memories is in a printout operation and the other can affect image transfer from the host computer, development of a postscript image or image processing utilizing the CPU. Column 6, lines 14-19. Nishio further teaches that a single buffer function

is when the two memories are used as a single memory space. Column 6, lines 21-25. Nishio further teaches that the double buffered mode and the single buffered mode are switched between by a command released from the host computer. Column 6, lines 26-30. Hence, Nishio teaches a command selecting between using the two memories as a single memory space or using the two memories as an independent memory space. Nishio does not teach a command selecting between double buffered stereo or a single buffered stereo.

The Examiner asserts that Kato though teaches double buffered stereo and single buffered stereo. However, the Examiner has not provided any motivation for modifying Kato with Nishio to provide the option of allocating the memory space as a double buffered stereo or a single buffered stereo. The Examiner must provide a motivation to modify Kato with Nishio to provide the option of allocating the memory space as a double buffered stereo or a single buffered stereo. M.P.E.P. §2142. The Examiner has not provided any such motivation but instead relies upon his own subjective opinion which is insufficient to establish a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Consequently, the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 1, 6 and 11. *Id.*

> D.   <u>The Examiner has not provided any objective evidence for modifying Rao to incorporate the limitations of claims 3, 4, 8, 9, 13 and 14.</u>

The Examiner's motivation for modifying Rao to set a flag to indicate that the memory space is allocated for the single buffered stereo if the memory space is allocated for the single buffered stereo, as recited in claim 3 and similarly in claims 8 and 13, is "in order to more efficiently operate and use the memory allocation operation." Paper No. 8, page 4. The Examiner's motivation is insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner must provide a source for the motivation to modify Rao, as indicated above, in order to establish a *prima facie* case of obviousness. M.P.E.P. §2143. There are three possible sources for a motivation to modify Rao as indicated above: the nature of the problem to be solved, the teachings of the prior art, and the knowledge of persons of ordinary skill in the art. *In re Rouffet*, 149 F.3d 1350, 1357, 47 U.S.P.Q.2d 1453, 1457-58 (Fed. Cir. 1998). Since the Examiner has not provided any evidence as to the source of the motivation, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 3, 8 and 13. M.P.E.P. §2143.

Furthermore, the Examiner's motivation is not a motivation to modify Rao to set a flag to indicate that the memory space is allocated for the single buffered stereo if the memory space is allocated for the single buffered stereo. There is no suggestion in Rao of setting a flag to indicate that the memory space is allocated for the single buffered stereo if the memory space is allocated for the single buffered stereo. Neither is there any suggestion in Rao of setting a flag to indicate that the memory space is allocated for the single buffered stereo if the memory space is allocated for the single buffered stereo in order to more efficiently operate and use the memory allocation operation (Examiner's motivation). Further, the motivation does not address as to why one of ordinary skill in the art would modify Rao to set a flag to indicate that the memory space is allocated for the single buffered stereo if the memory space is allocated for the single buffered stereo. The Examiner has not explained how improving the operation efficiency is related to setting a flag to indicate that the memory space is allocated for the single buffered stereo. Instead, the Examiner is merely relying upon his own subjective opinion which is insufficient to support a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness for rejecting claims 3, 8 and 13. *Id.*

Further, the Examiner's motivation for modifying Rao to set a flag to indicate that the memory space is allocated for the double buffered stereo if the memory space is allocated for the double buffered stereo, as recited in claim 4 and similarly in claims 9 and 14, is "in order to more efficiently operate and use the memory allocation operation." Paper No. 8, page 4. The Examiner's motivation is insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner must provide a source for the motivation to modify Rao, as indicated above, in order to establish a *prima facie* case of obviousness. M.P.E.P. §2143. There are three possible sources for a motivation to modify Rao as indicated above: the nature of the problem to be solved, the teachings of the prior art, and the knowledge of persons of ordinary skill in the art. *In re Rouffet*, 149 F.3d 1350, 1357, 47 U.S.P.Q.2d 1453, 1457-58 (Fed. Cir. 1998). Since the Examiner has not provided any evidence as to the source of the motivation, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 4, 9 and 14. M.P.E.P. §2143.

Furthermore, the Examiner's motivation is not a motivation to modify Rao to set a flag to indicate that the memory space is allocated for the double buffered stereo if the memory space is allocated for the double buffered stereo. There is no suggestion in Rao of setting a flag to indicate that the memory space is allocated for the double buffered stereo if the memory space is allocated for the double buffered stereo. Neither is there any suggestion in Rao of setting a flag to indicate that the memory space is allocated for the double buffered stereo if the memory space is allocated for the double buffered stereo in order to more efficiently operate and use the memory allocation operation (Examiner's motivation). Further, the motivation does not address as to why one of ordinary skill in the art would modify Rao to set a flag to indicate that the memory space is allocated for the double buffered stereo if the memory space is allocated for the double buffered stereo. The Examiner has not explained how improving the operation efficiency is related to setting a flag to

indicate that the memory space is allocated for the double buffered stereo. Instead, the Examiner is merely relying upon his own subjective opinion which is insufficient to support a *prima facie* case of obviousness. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002). Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness for rejecting claims 4, 9 and 14. *Id.*

        E.   The Examiner has not provided any motivation for modifying Rao to incorporate all of the limitations of claims 2, 5, 7, 10, 12, 15 and 16-36.

The Examiner has not provided any motivation for modifying Rao to incorporate the limitations of claims 2, 5, 7, 10, 12, 15 and 16-36. The Examiner must provide a motivation to modify Rao to incorporate all of the limitations of claims 2, 5, 7, 10, 12, 15 and 16-36 in order to establish a *prima facie* case of obviousness in rejecting claims 2, 5, 7, 10, 12, 15 and 16-36, respectively. M.P.E.P. §2142. Consequently, the Examiner has not provided a *prima facie* case of obviousness for rejecting claims 2, 5, 7, 10, 12, 15 and 16-36. M.P.E.P. §2143.

        F.   Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest the following claim limitations.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "a graphics adapter coupled to said display, wherein said graphics adapter is configured to control the rendering of text and images on said display, wherein said graphics adapter comprises a frame buffer configured to temporarily store one or more frames of data to be displayed on said display" as recited in claim 11 and similarly in claim 30. As understood by Applicants, the Examiner is asserting that Rao inherently includes a graphics adapter configured to control the rendering of text and images on a display as well as inherently includes a graphics adapter that includes a frame buffer configured to temporarily store one or more frames of data to be displayed on the display. Applicants respectfully traverse. Rao instead teaches a memory 105 that includes

frame buffer blocks 110, 111 as illustrated in Figure 1. Figure 1 of Rao does not illustrate a graphics adapter. In order to establish inherency, the Examiner must provide a basis in fact and/or technical reasoning to support the assertion that Rao inherently includes a graphics adapter configured to control the rendering of text and images on a display as well as inherently includes a graphics adapter that includes a frame buffer configured to temporarily store one or more frames of data to be displayed on the display. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). That is, the Examiner must provide extrinsic evidence that must make clear that Rao inherently includes a graphics adapter configured to control the rendering of text and images on a display as well as inherently includes a graphics adapter that includes a frame buffer configured to temporarily store one or more frames of data to be displayed on the display, and that it be so recognized for persons of ordinary skill. *In re Robertson*, 169 F.3d 743, 745, 49 U.S.P.Q.2d 1949, 1950-51 (Fed. Cir. 1999). Since the Examiner has not provided such evidence, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 11 and 30. M.P.E.P. §2131.

Furthermore, as understood by the Applicants, the Examiner is asserting that it is well known in the art to have a graphics adapter coupled to a display, where the graphics adapter is configured to control the rendering of text and images on the display, where the graphics adapter comprises a frame buffer configured to temporarily store one or more frames of data to be displayed on the display. Applicants respectfully traverse the assertion that it is well known in the art to have a graphics adapter coupled to a display, where the graphics adapter is configured to control the rendering of text and images on the display, where the graphics adapter comprises a frame buffer configured to temporarily store one or more frames of data to be displayed on the display. Applicants respectfully request the Examiner to provide a reference that supports the assertion that it is well known in the art to have a graphics adapter coupled to a display, where the graphics adapter is configured to

control the rendering of text and images on the display, where the graphics adapter comprises a frame buffer configured to temporarily store one or more frames of data to be displayed on the display pursuant to M.P.E.P. §2144.03. Consequently, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 11 and 30. M.P.E.P. §2131.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "reading a command line option to determine allocation of a memory space" as recited in claim 16 and similarly in claims 23 and 30. The Examiner has not cited to any passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. The Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 16, 23 and 30. M.P.E.P. §2143. Hence, claims 16, 23 and 30 are patentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "determining whether to allocate said memory space as a double buffered stereo or a single buffered stereo in response to said reading step" as recited in claim 16 and similarly in claims 23 and 30. The Examiner has not cited to any passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. The Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references,

the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 16, 23 and 30. M.P.E.P. §2143. Hence, claims 16, 23 and 30 are patentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "allocating said memory space as one of said double buffered stereo and said single buffered stereo in response to said determining step" as recited in claim 16 and similarly in claims 23 and 30. The Examiner has not cited to any passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. The Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 16, 23 and 30. M.P.E.P. §2143. Hence, claims 16, 23 and 30 are patentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

Claims 2-5, 7-10, 12-15, 17-22, 24-29 and 31-36 recite combinations of features including the combinations of claims 1, 6, 11, 16, 23 and 30, and thus are patentable for at least the above-stated reasons. Claims 2-5, 7-10, 12-15, 17-22, 24-29 and 31-36 recite additional features, which, in combination with the features of the claims upon which they depend, are patentable over Rao in view of Kato and in further view of Nishio.

For example, Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "wherein if said memory space is allocated for said single buffered stereo then a greater portion of said memory space is available for at least one of texture memory and off-screen cache" as recited in claim 2 and similarly in claims 7, 12, 17, 24 and 31. The Examiner has not cited to any passage in either Rao, Kato or

Nishio as teaching the above-cited claim limitation. The Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 2, 7, 12, 17, 24 and 31. M.P.E.P. §2143. Hence, claims 2, 7, 12, 17, 24 and 31 are patentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "wherein if said memory space is allocated for said single buffered stereo then the method further comprises the step of: setting a flag to indicate that said memory space is allocated for said single buffered stereo" as recited in claim 3 and similarly in claims 8 and 13. The Examiner has not cited to any passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. Applicants respectfully assert that the Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 3, 8 and 13. M.P.E.P. §2143.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "wherein if said memory space is allocated for said double buffered stereo then the method further comprises the step of: setting a flag to indicate that said memory space is allocated for said double buffered stereo" as recited in claim 4 and similarly in claims 9 and 14. The Examiner has not cited to any

passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. Applicants respectfully assert that the Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 4, 9 and 14. M.P.E.P. §2143.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "receiving said selectable option; reading said selectable option; and determining whether to allocate said memory space as said double buffered stereo or said single buffered stereo in response to said reading step" as recited in claim 5 and similarly in claims 10 and 15. The Examiner has not cited to any passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. The Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 5, 10 and 15. M.P.E.P. §2143. Hence, claims 5, 10 and 15 are patentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "reading a file storing a set of startup options, wherein one of said startup options comprises a default value overridable by said command line option" as recited in claim 18 and similarly in claims 25 and 32. The Examiner has not cited to any passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. The Examiner bears the initial burden of factually

supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 18, 25 and 32. M.P.E.P. §2143. Hence, claims 18, 25 and 32 are patentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "wherein said default value corresponds to allocating said memory space as said double buffered stereo" as recited in claim 19 and similarly in claims 26 and 33. The Examiner has not cited to any passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. The Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 19, 26 and 33. M.P.E.P. §2143. Hence, claims 19, 26 and 33 are patentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "wherein said command line option has a value corresponding to allocating said memory space as said single buffered stereo" as recited in claim 20 and similarly in claims 27 and 34. The Examiner has not cited to any passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. The Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of

obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 20, 27 and 34. M.P.E.P. §2143. Hence, claims 20, 27 and 34 are patentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "wherein said default value corresponds to allocating said memory space as said single buffered stereo" as recited in claim 21 and similarly in claims 28 and 35. The Examiner has not cited to any passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. The Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 21, 28 and 35. M.P.E.P. §2143. Hence, claims 21, 28 and 35 are patentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

Applicants further assert that Rao, Kato and Nishio, taken singly or in combination, do not teach or suggest "wherein said command line option has a value corresponding to allocating said memory space as said double buffered stereo" as recited in claim 22 and similarly in claims 29 and 36. The Examiner has not cited to any passage in either Rao, Kato or Nishio as teaching the above-cited claim limitation. The Examiner bears the initial burden of factually supporting a *prima facie* case of obviousness. M.P.E.P. §2142. In order to present a *prima facie* case of obviousness, the Examiner must show a prior art reference (or references when combined) that teaches or suggests all the claim limitations. M.P.E.P. §2143. Since

the Examiner has not provided such a reference or combination of references, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 22, 29 and 36. M.P.E.P. §2143. Hence, claims 22, 29 and 36 are patentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

As a result of the foregoing, Applicants respectfully assert that there are numerous claim limitations not taught or suggested in the cited prior art, and thus the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 1-36 as being unpatentable over Rao in view of Kato and in further view of Nishio. M.P.E.P. §2143.

II.   <u>CONCLUSION</u>

As a result of the foregoing, it is asserted by Applicants that claims 1-36 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims.   Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Applicants
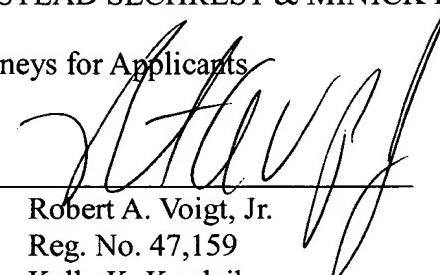
By:_____
         Robert A. Voigt, Jr.
         Reg. No. 47,159
         Kelly K. Kordzik
         Reg. No. 36,571

P.O. Box 50784
Dallas, TX 75201
(512)370-2832

Austin_1 262049v.1